

## FORTY-SECOND DAY

Friday, March 30, 1990

The Senate of the Fifteenth Legislature of the State of Hawaii, Regular Session of 1990, convened at 11:40 o'clock a.m. with the Vice President in the Chair.

The Divine Blessing was invoked by Sister Marie Rosso, M.M., Maryknoll Sisters, after which the Roll was called showing all Senators present with the exception of Senators Fernandes Salling, George, Hagino and Nakasato who were excused.

The President announced that he had read and approved the Journal of the Forty-First Day.

The following introductions were then made to the members of the Senate:

Senator Solomon introduced Mr. David Fuentes as follows:

"Mr. President, it gives me great pleasure this morning to introduce not only a good friend but a former colleague from my hometown, Kohala. The Senate certificate congratulating David Fuentes reads:

'David Fuentes is a teacher at Kohala High School with an exemplary record of accomplishments, and has played a vital role in revitalizing the spirit of the Kohala community by coordinating the annual Kohala Open Market for over 15 years. He has consistently and unselfishly volunteered his time and talents to help those in need. David Fuentes, on having his students recognized for numerous district, state and national Future Farmer of America awards, has himself been recognized by his peers and the Future Farmers of America as an outstanding educator. In his commitment to excellence in education, he has developed outstanding programs and partnerships and has helped many students, both the under-achieving and the talented, aspire to higher levels.

'David Fuentes most recently developed a state-wide fruit fly eradication awareness training program to educate students and the public about the benefits of fruit fly eradication to Hawaii's economy. He is said by students, parents, colleagues and others to be a valuable, respected, good friend and a leader in his own community and the state.'

"At this time, Mr. President, I would like my colleagues to give recognition to Mr. David Fuentes who is seated on the floor of the Senate.

"Of course, as the saying goes, Mr. President, behind a great man or a great woman there's always someone who has been an inspiration and motivation and, at this time, I'd like to recognize his 'mama,' Mrs. Rosario Fuentes, who flew in from Kauai especially to be with her son today.

"Seated in the gallery, and a surprise to David, his ohana -- brother Basilio Jr.; sisters, Nancy Fuller and Victoria Fuller; and niece Jocelin Perry.

"Aloha and welcome to the Senate."

Mr. David Fuentes rose to be recognized and was presented the congratulatory Senate certificate and lei by Senator Solomon. Senator Holt presented a lei to Mrs. Rosario Fuentes.

Senator McCartney then added:

"Mr. President, I would like to echo the comments of Senator Solomon on behalf of David Fuentes.

"David is a personal friend of mine. I had the opportunity to work with him as a negotiator with HSTA. He was very instrumental in also getting the supplemental pay for agriculture teachers.

"And we thank him for working very, very hard on behalf of the children of this state because I know he is a genuine and a strong supporter of public education who has committed himself to that life and we commend him. Thank you."

Senator Tungpalan, on behalf of Senators Mizuguchi, Menor and herself, introduced the Pearl City High School Chargers Girls' Soccer Team, the OIA champions, as follows:

"Mr. President, under the guidance of athletic director Roy Ichinose, head coach Archie Chung, and assistant coaches, Al Watanabe, Frank Baumholtz and Gordon Matsuoka, the 1989-1990 Pearl City High School Chargers Girls' Soccer Team garnered an impressive, undefeated 12-0 winning record, thereby attaining the OIA Western Division championship and went on to defeat Kaiser High School by a score of 4 to 0 on February 24 to win the state championship.

"Through their winning record, this team exemplifies the rewarding benefits of hard work, perseverance, teamwork and good sportsmanship.

"Seated on the floor with us this morning are team captains, Dawn Baumholtz, Elaina Malak and Leilani Keopuhiwa, and senior team members, Kimberly Sparlin, Cheryl Chung and Jeanna Choo. Also, principal Gerald Suyama, head coach Archie Chung, assistant coaches Al Watanabe and Frank Baumholtz.

"Seated in the gallery are other team members: Lianne Abe, Nicole Arakawa, Renee Dennison, Jill Enomoto, Kris Ann Kanemoto, Laura Kuioka, Shelby-Rae Lee, Dayle Liu, Shelly Matsuoka, Joy Morisawa, Stacy Nakagawa, Erin Nakamura, Heather Ojiri, Kristin Ota, Jerlene Shimizu, Sheri Shimodoi, Sara Tanita, Noreen Tokita, and Amoreena Young. Accompanying them are team manager Roxanne Yonashiro and parents of the girls.

"Thank you girls for making Pearl City number one in soccer. Aloha."

Senator Crozier, on behalf of Senator Aki, then introduced representatives of the Na Koa Soccer Team as follows:

"Mr. President, I think it's quite opportune that I introduce these handsome young men who are one of the finest soccer players on the Island of Oahu. The group we have before us, the Na Koa Soccer Team, is just not an average group of young men that got together and played soccer. They have accomplished quite a feat. (I helped bring AYSO to Makakilo, and right now the AYSO program is 7,000 kids strong. My daughter played for AYSO in Pearl City.)

"The Na Koa Soccer Team started playing soccer in the Honolulu AYSO and they've been together for many years. Although soccer is one of the most popular sports in many European and South American countries, it is a relatively new sport in the United States and Hawaii. Last year, the team was invited to participate in the

prestigious Watford International Festival of Football in Watford, England. For these young men to be invited to England and compete in an international tournament, proves that they are playing at a very high standard. They won the under-19 division by defeating the United States all-star team and were honored with a team cup and medal for each of the 17 players on the team.

"At this time I would like to introduce five representatives of the team: Clinton Freitas from Roosevelt High School; Tirtha Dhkhawa from McKinley High School; Curtis Yoshioka from Punahou School; Kanale Delacruz from Roosevelt High School; and Ross Egloria from Kamehameha High School. They are accompanied by their coach, Shaina Caporoz, daughter of Senator Aki's secretary, Angie."

The young gentlemen and their coach rose to be recognized and were presented leis by various Senators.

Senator Crozier also recognized and introduced assistant coach Kiki Delacruz and team mothers, Mrs. Carol Nishimura and Mrs. Leatrice Egloria, who were seated in the gallery.

Senator Ikeda then introduced Miss Seema Ahmed, Miss MeiLon Kavanagh and Mrs. Carol Chun as follows:

"Mr. President, it gives me great pleasure this morning to introduce to you three outstanding people.

"Seema Ahmed has just been chosen Hawaii's Young Woman of the Year. This contest, Mr. President, is one where a person has to be well-rounded. In other words, beauty, brains, personality and scholarship. So it is a very difficult and tremendous honor to attain.

"Seema is a senior at University of Hawaii Lab School, which is also my alma mater. She is an honor student as well as an accomplished singer and an actress. She is looking forward to a career in international relations. Mr. President and members of this honorable body, it gives me great pleasure to introduce to you Hawaii's Young Woman of the Year Seema Ahmed.

"Her proud parents, Dr. and Mrs. Saleem Ahmed are sitting in the gallery. I might add, Mr. President, that Dr. Ahmed is working on the 'neem' tree which is a natural pesticide and we're trying to give him some assistance in that area.

"Also with us this morning is the first runner-up in the Hawaii's Young Woman of the Year contest, MeiLon Kavanagh. She's a senior at Radford High School, is an honor student and active participant in academic clubs as well as a dancer who's looking forward to a career in engineering.

"Accompanying the young ladies is Mrs. Carol Chun who is the executive vice president and state chairman of this event. She represents Hawaii's Junior Miss Incorporated which is celebrating its 31st year of service to the community. They are the sponsors of this annual event, and we would like to congratulate them on their 31 years of service. Thank you."

Miss Ahmed, Miss Kavanagh and Mrs. Chun, seated on the floor of the Senate, rose to be recognized and were presented leis by Senators Holt, McCartney and Crozier.

Senator Solomon then recognized and introduced Dr. Donald Duckworth of the Bishop Museum and members of the StarLab staff as follows:

"Mr. President, in celebration of education here in the State of Hawaii, we have, today, for us to witness a

taxpayer's expenditure of \$150,000, appropriated last session, so that 'the life of the StarLab Planetarium,' under Bishop Museum, could travel the islands to reach our students and the general public.

"StarLab is a portable planetarium program which is administered by the Bishop Museum Planetarium. As an example of StarLab's impact in the State of Hawaii, we took a look at the heavy but typical week of March 12-17 in the life of StarLab. During this week, three StarLabs were being used on our four islands by two planetarium staff members and three of the five DOE teachers who have been assigned to the StarLab pilot project and trained by staff of Bishop Museum Planetarium.

"On Hawaii, Janet Luh of DOE gave programs to 240 public school children; then visiting planetarium staffer Peter Michaud took the StarLab, Pony Express style, to do two nights of public programs in Hilo. He then moved it to Kamuela to do two more nights of public shows, and a day of private school shows at Parker School. Total Big Island audience: 320 students, 445 general public.

"On Sunday night, Peter Michaud brought the StarLab back to Oahu, where he made an airport baggage area hand off to DOE teacher Joanne Masui. She began a round of Honolulu and Windward district schools visits in the following week.

"On Oahu, DOE teacher Hiroji Mende taught a solid week of school programs in the Central and Leeward school districts to a total of roughly 600 public school students in grades 4-6. And he will do the same for several more weeks.

"On Kauai, DOE teacher Anne Tanioka gave 148 public school students programs in the first part of the week, and then handed the StarLab to planetarium staffer Ray Fabre', who did programs for 220 private school students and 270 general public visitors. Ray then moved the whole 'kit and kaboodle' to Maui, where he did shows in a shopping mall for another 90 members of the general public before handing off to DOE teacher Roy Nakasone for use on Maui, Molokai and Lanai for the next few weeks of school programs.

"The grand total for the week: 2,093 people took part in exciting, educational experiences in portable planetariums operated out of the Bishop Museum Planetarium.

"While the DOE StarLab program was assigned staff only on January 22nd, the program is already fully booked through the end of the school year. At this point, the various StarLab programs have reached over 11,000 people on all islands except Molokai. We will be there on the week of April 23rd.

"So, my colleagues, isn't that worth it -- a dollar per person, \$11,000. And this is thanks and mahalo nui to all of your support for this great creative project. The StarLab will be on the Senate floor today with planetarium staff presenting programs. Everyone is invited.

"Mr. President, I would like to recognize and introduce Dr. W. Donald Duckworth, president and director of Bishop Museum, accompanied by his wife Sandi, and staff members: Ken Miller, Planetarium chairman; Mr. Peter Michaud, production assistant; Ray Fabre', Planetarium education specialist; Susan Kodani, assistant director of public programs; Ann Klaus, education chairman; and Melissa Lyman, public relations chairman."

Dr. and Mrs. Duckworth and members of his staff rose to be recognized.

Senator Holt introduced a group of visitors from Wasilla, Alaska, who were seated in the gallery: "family friends," Mrs. Penny Herdon and daughter Kelly, and Mr. Donovan McRoberts.

At 12:03 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:10 o'clock p.m.

Senator Levin, in recognition of Doctors' Day, made the following introduction and remarked:

"Mr. President, today is Doctors' Day, and we in the Legislature have particular reasons to honor and to be thankful for these dedicated professionals who are servicing Hawaii so well. In conjunction with Doctors' Day, the Hawaii Medical Association is providing a free medical checkup this afternoon between 1:30 and 4:30 p.m. in the auditorium. All members and staffers are urged to take advantage of this opportunity.

"This is the second year that the screening has been provided. Last year's screening may have saved the lives of at least two individuals that I know of; one who discovered that he had high blood pressure and another who found out that he had a cholesterol problem even though he was young, thin, athletic, chip. So the life that you save may be your own, and I hope that you will accept this free service. Also, please encourage your staff to participate and take part and give them time off to do so.

"The Hawaii Medical Association has also shown its concern for the health and welfare of the members of this Senate through its recent donation of a weigh-in scale which has been placed in the caucus room. I know that I speak for my colleagues expressing thanks to the members of HMA for this much appreciated gift.

"The doctors are not in the gallery today. They are preparing for this afternoon, but, in the gallery, we do have the two main officers of the Medical Auxiliary: Ms. Maureen Lau, president of the City and County of Honolulu Medical Auxiliary, and Ms. Susan Wong, state president of the Medical Auxiliary."

#### HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 396 and 397) were read by the Clerk and were referred to committees:

Hse. Com. No. 396, transmitting House Concurrent Resolution No. 77, which was adopted by the House of Representatives on March 29, 1990, was placed on file.

By unanimous consent, H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION REDEFINING THE IDENTITY AND MISSION OF HAWAII COMMUNITY COLLEGE AT THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Higher Education.

Hse. Com. No. 397, transmitting House Concurrent Resolution No. 112, which was adopted by the House of Representatives on March 29, 1990, was placed on file.

By unanimous consent, H.C.R. No. 112, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO INVESTIGATE WAYS OF SIMPLIFYING THE SYSTEM

OF STATE INCOME TAX CREDITS," was referred to the Committee on Ways and Means.

#### STANDING COMMITTEE REPORTS

Senator McCartney, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 2813) recommending that H.B. No. 2338, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 2338, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF ANNUAL SUPPLEMENTS TO COMPREHENSIVE ORDINANCE CODES," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1990.

Senator McCartney, for the Committee on Government Operations, presented a report (Stand. Com. Rep. No. 2814) recommending that H.B. No. 2638, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 2638, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2815) recommending that the Senate advise and consent to the nominations of Kenneth Y. Kaneshiro, Ph.D., and Richard C. Wass, Ph.D., to the Animal Species Advisory Commission, in accordance with Gov. Msg. No. 159.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2815 and Gov. Msg. No. 159 was deferred until Monday, April 2, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2816) recommending that the Senate advise and consent to the nominations of Robert K. Hanohano, George S. Lockwood, and William Charles Rowland to the Hawaii Aquaculture Advisory Council, in accordance with Gov. Msg. No. 160.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2816 and Gov. Msg. No. 160 was deferred until Monday, April 2, 1990.

Senator Ikeda, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 2817) recommending that the Senate advise and consent to the nomination of Russell N. Fukumoto to the Advisory Committee on Pesticides, in accordance with Gov. Msg. No. 161.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2817 and Gov. Msg. No. 161 was deferred until Monday, April 2, 1990.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 2818) recommending that the Senate advise and consent to the nominations of Millicent M. Y. H. Kim, Arthur A. Kohara, and Gladys Y. Sonomura to the State Foundation on Culture and the Arts, in accordance with Gov. Msg. No. 171.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2818 and Gov. Msg. No. 171 was deferred until Monday, April 2, 1990.

Senator Tungpalan, for the Committee on Culture, Arts and Historic Preservation, presented a report (Stand. Com. Rep. No. 2819) recommending that the Senate advise and consent to the nominations of Kiyoshi Ikeda, Ph.D., Edith K. McKinzie, Lynette K. Paglinawan, Yoshihiko Sinoto, D.Sc., and Gerald T. Takano to the Hawaii Historic Places Review Board, in accordance with Gov. Msg. No. 172.

In accordance with Senate Rule 33, action on Stand. Com. Rep. No. 2819 and Gov. Msg. No. 172 was deferred until Monday, April 2, 1990.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2820) recommending that H.B. No. 1159, H.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 1159, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFT DESIGNATIONS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1990.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2821) recommending that H.B. No. 2753 pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 2753, entitled: "A BILL FOR AN ACT RELATING TO PERMITS," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1990.

Senator Menor, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2822) recommending that H.B. No. 2204, H.D. 1, as amended in S.D. 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Senator Blair, seconded by Senator Reed and carried, the report of the Committee was adopted and H.B. No. 2204, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTER FRAUD," passed Second Reading and was placed on the calendar for Third Reading on Monday, April 2, 1990.

Senator Nakasato, for the Committee on Labor and Employment, presented a report (Stand. Com. Rep. No. 2823) recommending that S.C.R. No. 84 be adopted.

By unanimous consent, action on Stand. Com. Rep. No. 2823 and S.C.R. No. 84, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE BIENNIAL REVIEW OF THE COMPENSATION PLANS AND THE COSTS THEREOF," was deferred until Monday, April 2, 1990.

#### ADJOURNMENT

At 12:20 o'clock p.m., on motion by Senator Blair, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Monday, April 2, 1990.